

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6792 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? No.
2. To be referred to the Reporter or not? No.

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3. Whether Their Lordships wish to see the fair copy of the judgement? No.
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No.
5. Whether it is to be circulated to the Civil Judge? No.

LALA KHEMA VANOL

Versus

STATE OF GUJARAT, SERVED UPON THE DY.MAMLATDAR,

Appearance:

MR GR SHAIKH for Petitioners
M/S PATEL ADVOCATES for Respondent No. 1

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 20/10/97

ORAL JUDGEMENT

The Presiding Officer of the Gujarat Revenue Tribunal has declined to review the order dated 28-4-1995 passed in the Review Application No.TEN.C.A.38/94 which is under challenge.

2. Mr. Kodakar learned A.G.P. appearing for the

respondents does not dispute that such order is open to be reviewed and the Division Bench of this Court has so held in case of Gitaben J. Patel Vs. Dy. Collector, Ahmedabad, reported in 1995 (2) G.L.H. 279.

3. In this view of the matter, the impugned order dated 28-4-1995 passed by the Gujarat Revenue Tribunal, Ahmedabad, cannot be sustained in the eye of law. The same is accordingly quashed and set aside. The Gujarat Revenue Tribunal, Ahmedabad is directed to hear and decide Review Application No.TEN.C.A.38/94 on merits and in accordance with law. This Special Civil Application is allowed and rule is made absolute, with no order as to costs.

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